

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

WOLFRAM ARNOLD, ERIK FROESE,  
TRACY HAWKINS, JOSEPH  
KILLIAN, LAURA CHAN PYTLARZ,  
and ANDREW SCHLAIKJER,

*Plaintiffs,*

v.

X CORP. f/k/a TWITTER, INC., X  
HOLDINGS CORP. f/k/a X  
HOLDINGS I, INC., and ELON MUSK,

*Defendants.*

C.A. No. 1:23-cv-528-CFC

**[PROPOSED] ORDER GRANTING DEFENDANTS X CORP. f/k/a  
TWITTER, INC.'S AND X HOLDINGS CORP. f/k/a X HOLDINGS I,  
INC.'S MOTION TO DISMISS COUNTS I-VI AND XIV OF THE FIRST  
AMENDED COMPLAINT**

This matter is before the Court on Defendants X Corp. f/k/a Twitter, Inc. and X Holdings Corp. f/k/a X Holdings I, Inc.'s motion to dismiss Counts I, II, III, IV, V of the First Amended Complaint ("FAC") pursuant to Fed. R. Civ. P. 12(b)(6), Count VI pursuant to Fed. R. Civ. P. 9(b) and 12(b)(6), and Count XIV pursuant to Fed. R. Civ. P. 12(b)(6) ("Motion").

Upon careful consideration of the Motion and supporting Opening Brief, all Oppositions and Replies, and all materials and information provided to the Court in these submissions, the Court concludes that:

1. The Motion is **GRANTED**;

2. Counts I-VI and XIV of Plaintiffs' FAC are hereby **DISMISSED**  
**WITH PREJUDICE.**

**SO ORDERED.**

Dated: \_\_\_\_\_, 2023

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HON. COLM F. CONNOLLY  
United States District Chief Judge